

Support HB 1686

Provide Home Food Security for Texans

Senate Sponsor: Zaffirini

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Growing numbers of Texans want to raise food for themselves, which has numerous benefits:

- Accessing high-quality, fresh, nutritious food;
- Reducing and stabilizing families' food bills; and
- Providing physical and mental health benefits from growing plants and caring for animals.

Unfortunately, some cities and homeowners' associations (HOAs) limit or completely prevent Texans from exercising their right to raise food for themselves.

The COVID-19 pandemic has given new urgency to this issue. Our food system has proven to be fragile and subject to disruption in a crisis.

- Grocery store shelves went empty as the conventional food system was unable to adapt to new distribution needs.
- Food prices spiked, with continuing higher prices and sometimes limited availability.
- Food Bank lines have been staggeringly long, making news worldwide.
- Unemployment rates remain high, hurting Texans' ability to support their families.

HB 1686 would prevent cities and HOAs from prohibiting Texans from having vegetable gardens, 6 chickens, or 6 rabbits. The bill specifically allows reasonable restrictions such as banning roosters or addressing odor concerns. Many of the opponents' objections are addressed in the version passed by the House, please see the back of this page for details.

Empowering families to produce healthy food at home means greater food security for Texans.

HB 1686 passed the House 143-1

HB 1686 is supported by:

Farm & Ranch Freedom Alliance

San Antonio Food Bank

Central Texas Young Farmers Coalition

Grow Local South Texas

Texas Organic Farmers & Gardeners Association

Food Policy Council of San Antonio

Houston Food Bank

GROW North Texas

Sustainable Food Center

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See back of this page for details about the changes made in Committee & on House floor →

The version of HB 1686 passed by the House addresses many of the concerns raised in response to the original filed version.

- Provisions that explicitly allow cities or HOAs to:
 - Require the trimming or removal of trees as needed for the maintenance of utility easements
 - Limit the chickens and rabbits to the side or back yard (so that they are not in the front yard)
 - Require minimum space available for animals, based on 1.5 times the amount recommended by the Texas Extension Service (for rabbits) and the US Poultry Extension (for chickens);
 - Require fencing or shelter sufficient to keep the chicken or rabbits on the owners' property;
 - Require that sanitation be addressed so as to prevent odor or pest problems;
 - Require that a garden visible from the street, common areas, or adjacent yards be well-maintained; and
 - Ban invasive plants.
- A provision that the bill does **not** apply to condominiums.
- A cumulative cap on the number of animals at 8 (for example, 4 chickens and 4 rabbits).
- Additional provisions for HOAs:
 - The HOA does not have to allow gardens or animals on property owned by the HOA or owned in common by the members of the HOA.
 - The HOA can regulate the construction and shielding of animal shelters that are located where they are visible from the street, another lot, or a common area.
 - The HOA can restrict signage and address potential traffic issues with cottage food operations.

The House version also removed beehives from the bill.

These provisions preserve the ability of Texas residents to address their household food security and healthy food access, while addressing the concerns expressed by cities and HOAs.

For more information, contact Judith McGeary, Farm and Ranch Freedom Alliance, Judith@FarmAndRanchFreedom.org, 512-484-8821.